

TO SCI - DALLAS

10/20/06

9842 8022 3926

TO PA DEPT. OF JUSTICE

10/20/06

9842 8022 3933

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ORIGINAL

MARK BREAKIRON

VS.

Civil Action No. 00-300

MARTIN HORN, et.al.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

United States of America
Western District of Pennsylvania SS:

TO: U.S. Marshal, Western District of Pennsylvania
State Correctional Institution at Dallas, PA

GREETING:

WHEREAS, the United States District Court for the Western District of Pennsylvania, on November 9th, 2006 made an order permitting the issuance of this writ, now by virtue thereof,

WE COMMAND YOU, in the name and by authority aforesaid that James Francis Sullivan, Inmate BT 9865 be under your custody detained by whatever name he/she may be charged, you have said person before the Judges of the District Court for the Western District of Pennsylvania, at the United States Post Office & Courthouse in the City of Pittsburgh, Pennsylvania, on Monday December 4th and Tuesday December 5th, 2006, at 9:30 a.m. as a very material and necessary witness in the trial of the above entitled case on behalf of the United States, or show cause why the said person cannot be produced.

When the said James Francis Sullivan, Inmate BT 9865 is no longer needed as a witness before this Court, he/she shall be returned to SCI at Dallas

AND have you then and there this Writ.

WITNESS, the Honorable Thomas M. Hardiman
Judge of the United States District
Court for the Western District of
Pennsylvania this 9th, day of November, 2006

Frith

Clerk of Court

RECEIVED
U.S. MARSHAL
2006 NOV -9 P 3:36
PITTSBURGH PA

I hereby certify and return this writ as unexecuted on NOVEMBER 28, 2006 for the in-named JAMES SULLIVAN. The proceedings have been postponed and a new date and time will be set with a new writ issued.

THOMAS M. FITZGERALD
U.S. Marshal w/PA
Lewis P. Fyfe
SPDUM w/PA.

ORIGINAL

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK BREAKIRON,

Petitioner,

V.

MARTIN HORN, Commissioner,
Pennsylvania Department of Corrections;
CONNOR BLAINE, Superintendent of the
State Correctional Institution at Greene, and
JOSEPH P. MAZURKIEWICZ,
Superintendent of the State Correctional
Institution at Rockview,

Respondents.

CIVIL ACTION

No. 00 - 300:

Judge Hardiman

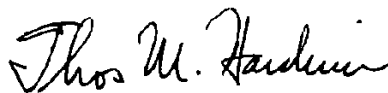
THIS IS A CAPITAL CASE.

ORDER FOR WRIT OF HABEAS AS TESTIFICANDUM

AND NOW, this 9th day of November, 2006,

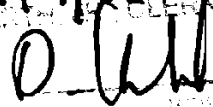
IT IS ORDERED AND DIRECTED that a writ of Habeas Corpus Ad Testificandum is hereby directed to the Superintendent of State Correctional Institution Dallas, Dallas Pennsylvania, or prison officials acting at his direction, and to the United States Marshal for the Western District of Pennsylvania, commanding them to have the body of **JAMES FRANCIS SULLIVAN**, Inmate # BT 9865, before this Court on Monday and Tuesday, December 4 and 5, 2006 at 9:30 a.m. to testify as a fact witness at an evidentiary hearing in the above titled case and to remain in federal custody until completion of the evidentiary hearing.

IT IS FURTHER ORDERED that upon completion of the evidentiary hearing in the above-captioned case, **JAMES FRANCIS SULLIVAN**, Inmate # BT 9865, shall be returned to the custody of the Superintendent of State Correctional Institution Dallas, Dallas Pennsylvania.



Honorable Thomas M. Hardiman
United States District Judge

ORIGINAL

DATE RECORDED	
Date	11/9/06
ROBERT	CLERK
By	
	Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

COPY

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VS.

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Judge of the United States District
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Pennsylvania this 9th, day of November, 2006

H. Barth, Jr.

Clerk of Court

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PITTSBURGH PA.

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Thos M. Hardiman

Honorable Thomas M. Hardiman
United States District Judge

COPY

Date	11/9/06
ROBERT V. BARTH, JR., CLERK	
By	<i>[Signature]</i>
Deputy Clerk	